

MINUTES

OF THE

NATURAL RESOURCE COMMISSION

MEETING

MAY 8, 2008

CITY COUNCIL CHAMBERS
ELDORA, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Natural Resource Commission was called to order by Chairperson Elizabeth Garst at 8:30 a.m. on Thursday, May 8, 2008 at the Eldora City Council Chambers, Eldora, Iowa.

Commissioner Garst welcomed the public to the meeting. She thanked the DNR staff for their assistance on the tour.

MEMBERS PRESENT

Elizabeth Garst
Carol Kramer
Gregory Drees
Janelle Rettig
William Bird
Richard Kim Francisco

APPROVE MINUTES

Motion was made by Commissioner Kramer to approve the April 10, 2008 NRC minutes. Seconded by Commissioner Francisco.

Note was made that Kim Francisco was present at the April meeting and Carol Kramer was absent. Several typographical errors were noted. The last paragraph under public participation was deleted and the last two sentences of the first paragraph under General Discussion was deleted. These corrections would be made to the minutes.

Motion, as amended, carried unanimously.

MINUTES APPROVED AS AMENDED

APPROVE AGENDA

Requests for changing the agenda are: Remove Item 17 and move Item 19 up on agenda. Closed session is scheduled for 10:00 a.m. Also noted was that Items 15 and 16 are final rules.

Motion was made by Commissioner Rettig to approve the May 8, 2008 NRC agenda as amended. Seconded by Commissioner Bird. Motion carried unanimously. .

AGENDA APPROVED AS AMENDED

ELECTION OF OFFICERS

Motion was made by Commissioner Francisco to nominate Bill Bird as Chair, Greg Drees as Vice-Chair and Janelle Rettig as Secretary of the Natural Resource Commission for the coming year. Seconded by Commissioner Kramer. Motion carried unanimously.

Newly elected chairperson, Bill Bird, resided as Chair for the remainder of the meeting.

Commissioner Rettig thanked Elizabeth Garst for her service this past year as chair of the Natural Resource Commission. Rettig earlier honored Garst by having t-shirts designed to be worn on the Commission tour.

Chairman Bird thanked Commissioner Garst for her service this past year. He also thanked staff for the tour, especially Greg Van Fosson, Don Primus and Terry Manning and Wayne Fuhlbrugge. He noted the excellent talk from Kay Neuman about bald eagles and lead poisoning, an issue the Commission plans to pursue. Commissioner Bird expressed thanks to Ann Raisch, President of Friends of Pine Lake State Park for her talk about success stories with Friends groups.

DIRECTOR'S REMARKS

Director Leopold announced the joint EPC/NRC meeting on May 12 at the Raccoon River Nature Lodge from 10:00 a.m. to 4:00. Discussions will include the budget, policy and legislation.

Director Leopold announced that Don Labate has been named Chief of Engineering.

Diane Ford-Shivvers and Sharon Tahtinen were thanked for their incredible work with legislation this year. They were described as incredible advocates for our department and wonderful resources in all committee meetings. Some highlights of legislation include:

- Honey Creek - \$ 8 million
- Sustainable Funding – passed Senate Joint Resolution 2002 and also re-authorized the sustainable funding committee to continue.
- PFD for age 13 and under passed.
- Deer depredation passed; will be doing more rules with that.
- REAP up to \$18 million
- Environmental Services Division funding is down
- Water trails funding expanded
- Watershed Council came from a two year legislatively named committee to recommendations for water quality. Department is already doing this.

State Parks Foundation is moving forward. There will collaboration between our State Parks 2020.

Director Leopold attended the North American Lake Management Society Conference the past week and noted that DNR fisheries staff and water quality staff, along with academics from ISU and other places, have all worked together for years for a plan for prioritization of lakes, and restoration of not only the lakes, but also the watersheds and after dredging. He said DNR fisheries staff is nationally recognized authorities on lake management.

Commissioner Garst encouraged everyone to urge the Governor to sign legislation on tax credits for conservation legislation.

Director Leopold reported that it is anticipated that a new NRC commissioner will be appointed in the next couple of months.

Commissioner Rettig expressed the importance of thanking people/constituents who have helped DNR to get money. Director Leopold reported that internally staff is compiling lists of people who need to be personally thanked. He said all partners should be sent a note for their efforts on many projects, including REAP and Honey Creek.

CONSTRUCTION PROJECTS

Linda Hanson, Administrator, Management Services Division, presented the following

Bids were opened April 17, 2008, for the following projects:

Ortmeier Tract, Dickinson County – Wetland Restoration

This project consists of the restoration of wetlands including constructing dikes, locating and disabling subsurface drainage and other related work as required by the Plans and the DNR Construction Inspector. The purpose of this project is to convert cropland back to its natural wetland state. Wetlands help to reduce storm-water runoff from entering bodies of water, control erosion, recharge aquifers, and create animal and waterfowl habitats. The primary focus of this project is the creation of a water fowl habitat with a secondary focus of creation of habitat for reptiles and amphibians. Project is budgeted 100% in the Wetland Reserve Enhancement Program agreement through the Natural Resources Conservation Service (Capital Link #22). DNR estimate is \$24,500. Project was designed by Heath Delzell and will be inspected by Don Labate. 23 sets of Plans were issued. 7 bids were received. 1 bid was returned as incomplete.

Richards Construction Co. Inc.	Sac City, IA	\$21,305.00
Bluewater Contracting	Spirit Lake, IA	\$23,247.50
Abel Farm Drainage Inc.	Greenville, IA	\$28,566.00
Beemer Companies	Fairmont, MN	\$29,053.00
Lundell Construction Co. Inc.	Cherokee, IA	\$31,010.00
Cohrs Construction Inc.	Spirit Lake, IA	\$34,837.50
Spring Lake Construction	Polk City, IA	\$38,312.50

Staff recommends award of contract to Richards Construction Co. Inc., low bidder.

Motion was made by Commissioner Drees to approve the low bid of Richards Construction Co. Inc. of Sac City, IA, in the amount of \$21,305.00 for wetland restoration at Ortmeier Tract in Dickinson County. Seconded by Commissioner Francisco. Motion carried unanimously.

CONSTRUCTION PROJECT APPROVED

Winkel/Walters Tract, Woodbury County – Wetland Restoration

This project consists of the restoration of wetlands including constructing dikes and other related work as required by the Plans and the DNR Construction Inspector. The purpose of this project is to convert cropland back to its natural wetland state. Wetlands help to reduce storm-water runoff from entering bodies of water, control erosion, recharge aquifers, and create animal and waterfowl habitat. Project is budgeted 100% in the Wetland Reserve Enhancement Program agreement through Natural Resources Conservation Service (Capital Link #22). DNR estimate is \$103,000. Project was designed by Heath Delzell and will be inspected by Don Labate. 24 sets of Plans were issued. 7 bids were received. 1 bid was returned as a late submission.

Carnavon Sand & Gravel	Wall Lake, IA	\$109,983.75
Abel Farm Drainage Inc.	Greenville, IA	\$114,995.00
Cleveringa Excavating LLC	Alton, IA	\$121,622.50
Spring Lake Construction	Polk City, IA	\$125,118.50
L.A. Carlson Contracting Inc.	Merrill, IA	\$144,581.25
K & L Landscape & Construction	Sergeant Bluff, IA	\$148,518.75

Staff recommends award of contract to Carnavon Sand & Gravel, low bidder.

Don Labate described the project. He noted that because of different terrain, the cost of prairie seeding is significantly more for this project.

Motion was made by Commissioner Rettig to approve the low bid of Carnavon Sand & Gravel of Wall Lake, Iowa, in the amount of \$109,983.75 for wetland restoration at the Winkel/Walters Tract in Woodbury County. Seconded by Commissioner Kramer.

Discussion continued regarding the types of protection to prevent erosion. Commissioner Garst remarked that DNR should always require the use of local ecotype seed as a matter of policy.

Motion carried unanimously.

CONSTRUCTION PROJECT APPROVED

Bids were opened May 1, 2008, for the following project:

Waubonsie/Washawtee SRA, Fremont County - Roadway Construction

This project consists of the Portland Cement Concrete (PCC) paving of a roadway at the old camp Washawtee in Fremont County, Iowa and other related work as required by the Plans and the DNR Construction Inspector. A portion of the entrance road will be a two-way concrete surface. The remainder of the thru road will be one-way with upgraded rock surfacing. Two additional road segments will be constructed in order to connect Washawtee with Waubonsie State Park, as well as several new parking areas. The purpose of this project is to construct approximately 2.6 miles of new PCC paved roadways, accesses and parking areas to allow Iowans easy access to the park's amenities. Since this is a sensitive area of the Loess Hills, all possible measures have been taken to reduce disturbance and erosion of this resource. Project is budgeted in Fiscal Year 2009 funds with \$1,431,972.36 from Park and Institutional Road Fund, \$72,793.52 from REAP Open Spaces and \$72,793.52 from REAP Land Management. DNR estimate \$1,600,000. Project was designed by Brian Higginbotham, P.E. from HGM Associates, Inc., and will be inspected by Mark Johnson. 24 sets of Plans were issued. 2 bids were received.

Carley Construction LLC	Treynor, IA	\$1,577,559.40
Cedar Valley Corp	Waterloo, IA	\$1,778,338.74

Staff recommends award of contract to Carley Construction LLC, low bidder.

Don Labate presented information and described the roadway construction plans for Waubonsie/Washawtee State Recreation Area.

Motion was made by Commissioner Francisco to approve the low bid of Carley Construction LLC of Treynor, Iowa, in the amount of \$1,577,559.40 for roadway construction at Waubonsie/Washawtee State Recreation Area in Fremont County. Seconded by Commissioner Kramer.

Commissioner Drees requested that signage be placed at the boat ramp and parking area to educate the public about the rain garden or bio swales, etc. as a means of informing how the DNR is managing storm water runoff.

Don Labate explained that along many of the roads there are silt basins that are incorporated into the ditch work to accept runoff. He said the boat ramp is a very small boat ramp and not a big impact on the road, but other parking areas are built around some bio retention areas.

Director Leopold mentioned that part of his priority and now a part of Department's strategic plan is sustainability and how that affects every aspect of our work. He noted that Chris Van Gorp is working on that policy and how we evaluate, choose and do projects like this.

Motion carried unanimously.

CONSTRUCTION PROJECT APPROVED

LAND ACQUISITION

Linda Hanson, Administrator, Management Services Division, presented the following item.

Silver Lake, Dickinson County—Hjelm, Hjelm and Kaiser

The Natural Resource Commission's approval is requested for the acquisition of a parcel of land located just north of the corporate limits of Lake Park. The 155-acre tract is offered by S. Vance Hjelm, Jens Hjelm, and Thomas and Julia Kaiser for the appraised price of \$232,500. The Natural Resource Conservation Service (NRCS) is acquiring a Wetland Reserve Program (WRP) easement on approximately 144 acres. The seller has reserved agricultural rights through December 31, 2009, if the NRCS closes on the easement after October 1, 2008.

Steven K. Schmidt, Licensed Appraiser of Schmidt Appraisal Services, Spirit Lake, Iowa submitted the appraisal. Jerry Gibson negotiated the purchase agreement.

The subject tract has 152 acres of tillable land that will be encumbered by a WRP easement (144 acres); one acre of marsh; and 2.0 acres of road right-of-way (ROW) and "old" building site. After restoration the tract will contain 87 acres seeded to native prairie species; 40 acres of restored wetlands; 10 acres of cropland; 15 acres of tame grass prairie; one acre of open water; and 2 acres of road ROW and "old" building site. There is no dwelling, but the tract does have several grain bins and a utility building. The DNR will remove the structures. The tract will provide excellent habitat for nesting waterfowl and upland wildlife, as well as many recreational opportunities because of its close proximity to Lake Park. The acquisition is critical for water quality and drainage within the Lake Park watershed.

Acquisition funding will be 100% Prairie Lakes I – NAWCA (see Capital Link #16). Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Drees to approve the acquisition of a 155-acre tract of land at Silver Lake in Dickinson County from S. Vance Hjelm, Jens Hjelm, and Thomas and Julia Kaiser for the appraised price of \$232,500. Seconded by Commissioner Garst. Motion carried unanimously.

LAND ACQUISITION APPROVED**Anglers Bay, Dickinson County—Iowa Natural Heritage Foundation**

The Natural Resource Commission's approval is requested for the acquisition of a parcel of land located on the northeast corner of Big Spirit Lake adjacent to the north side of Hale's Slough. The 40.75-acre tract is offered by the Iowa Natural Heritage Foundation (INHF) for \$2,500,000. This tract is the northern portion of the larger tract consisting of 93.30 acres that was appraised for \$6.3 Million on September 12, 2005. The 40.75-acre portion offered at this time was valued at \$3,300,000. The INHF purchased the property in June 2006 for \$6 Million.

Steven K. Schmidt, Licensed Appraiser of Schmidt Appraisal Services of Spirit Lake, Iowa submitted the appraisal. The Iowa Natural Heritage Foundation optioned the entire 93.30-acre tract from Donald and Nancy Yarnes. The southern portion was acquired by the Iowa DNR on June 20, 2006. Jerry Gibson negotiated the purchase agreement between the DNR and the INHF. The subject tract has excellent access from County Road M-56 lying adjacent to the east side of the property. The property has approximately 1850 feet of shoreline along with the largest and best quality stand of bulrushes in the Iowa Great Lakes Region that provide spawning habitat for

fish. Restoration and development plans include prairie plantings, wetland potholes, and continuation of the Dickinson County Trail system adjacent to the shoreline. Sellers are reserving the right to construct a bike trail across the subject tract, agricultural rights through the year of closing (2008).

Acquisition funding from Fiscal Year 2008 includes \$1.5 Million from REAP Open Spaces, \$300,000 from Marine Fuel Tax, \$100,000 from Wildlife Habitat Stamp and \$100,000 from Fisheries Habitat Stamp (see Capital Links #62a, #60, #3 and #5). Funding from Fiscal Year 2009 includes \$300,000 Marine Fuel Tax, \$100,000 Fish Habitat Stamp, and \$100,000 Wildlife Habitat Stamp. The Dickinson County Assessor's Office will be notified that the property is eligible to remain on property tax rolls in compliance with Section 483A.3, Code of Iowa. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Drees to approve the acquisition of a 40.75 acre tract of land located on the northeast corner of Big Spirit Lake adjacent to the north side of Hale's Slough from the Iowa Natural Heritage Foundation (INHF) for \$2,500,000. Seconded by Commissioner Francisco.

Discussion ensued regarding the amount raised through private donations by the INHF and the amount of donation recognition for this acquisition. It was noted that more money was raised by INHF than was the purchase amount. History of the project, including legislative action, earmarks, as well as the complicated financial aspects of the project was talked about.

Commissioner Rettig stated that she has no problem from a nonprofit point of view to raising more money than is needed for a certain project because eventually that money will go back to DNR and other lands for another project.

Linda Hanson related that the intent of the Department is to make sure that every time there is a bargain sale, all information is disclosed and included in the agenda item.

Commissioner Garst asked if the INHF policy on what they sell property to us for is that they would cover all their costs including their holding costs. She said it may well be worthwhile to understand how they are pricing because at a certain point if their policy is changing from covering their costs to their making money, we should save the taxpayers money and try to buy these properties ourselves instead of using INHF as the intermediary.

Director Leopold responded that he does not see that happening. He said the INHF has always given us their cost and not the administration and holding costs.

Motion carried unanimously.

LAND ACQUISITION APPROVED

Burr Oak WMA, Emmet County—Iowa Natural Heritage Foundation

The Natural Resource Commission's approval is requested for the acquisition of a parcel of land located 2½ miles south of Wallingford adjacent to the East side of Iowa Highway 4 and bisected by the West Fork of the Des Moines River. This 368.08-acre tract is offered for \$365,000. The residual (title with Wetland Reserve Program encumbrance) was appraised for \$405,000. The Natural Resource Conservation Service is acquiring a Wetland Reserve Program easement on 365.77 acres from the Iowa Natural Heritage Foundation (INHF) for \$653,790, and the Youngs sold the tract to the INHF for approximately \$860,000 in December 2007.

Steven K. Schmidt, Licensed Appraiser of Schmidt Appraisal Services of Spirit Lake, Iowa, submitted the appraisal. Jerry Gibson negotiated the purchase agreement.

The subject tract consists of 203 acres of cropland; 87 acres of tame grass pasture; 50 acres of timber; 21 acres of open water; 5 acres of marsh/wetlands; and approximately 2.08 acres of road right-of-way and building site. After restoration the tract will contain approximately 142 acres of native prairie seeding, 20 acres of cropland; 70 acres of pasture; 60 acres of timber; 21 acres of open water; 5 acres of marsh/wetlands; 48 acres of "restored" wetlands; and 2.08 acres of road right-of-way/building site. Restored and existing wetlands will provide excellent habitat for waterfowl and upland wildlife species. The riparian timber will provide excellent habitat for deer, wild turkey, and fur-bearers. Burr Oak Road bisects the property from east to west to provide superior public access. The tract has an abandoned dilapidated dwelling with a few out-buildings that are falling down. The INHF will remove the buildings prior to closing.

Acquisition funding will be 100% Prairie Lakes I – NAWCA (see Capital Link #16). Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Garst to approve acquisition of a 368.08-acre tract of land located at the Burr Oak Wildlife Management Area in Emmet County from the Iowa Natural Heritage Foundation for \$365,000. Seconded by Commissioner Francisco.

Discussion continued regarding the sale of this property. Director Leopold noted that the property was appraised at \$405,000. We are buying the property for \$365,000, which represents a bargain sale of \$40,000 less than appraised value. The INHF is receiving a federal WRP payment of \$653,790, not available to the DNR. In this instance, the INHF is realizing a gain of approximately \$158,000 above its initial investment, not discounted for costs. In other instances, the INHF may sell property to DNR and not be able to recoup its costs.

Commissioner Garst said that she does not begrudge the INHF covering all its costs but it is worthwhile being explicit on how they came up with \$365,000 because it would have been cheaper for the DNR to have bought this property from the owners and seek the conservation reserve easement. She added that the INHF is a partner doing work for us and their compensation needs to be understood because at some point we could do the business cheaper. Garst suggested looking at doing these purchases ourselves.

Director Leopold said that conceptually he agrees but because we are DNR it is easier, both politically and publicly, for the Iowa Natural Heritage Foundation to negotiate with landowners and acquire a piece of property.

Commissioner Bird commented that being a former employee, he knows there would have been a lot of lost opportunities to purchase property without the INHF. He thanked them for their partnership and said that hopefully down the road we can become more self-sustaining.

Discussion continued about the Department's ability to receive direct payments from the NRCS Wetland Reserve Program if we have land we want to enter into that program. Travis Baker explained that the Department cannot negotiate with the NRCS or come to an agreement on the payment unless a payment is in place with the previous landowner but not yet to be closed. If that were the case, we can step in and assume that payment and be paid.

Ken Herring explained past actions of the agency with WRP. He noted the work of field staff in working with the landowners and the NRCS toward successful enrollment in a program.

Commissioner Rettig related that she does not begrudge INHF a profit every now and then because seemingly every month we do get it back. She said that while this acquisition and the last acquisition look unusual for two different reasons, the partnership is wonderful, and the state and its citizens end up with a really good deal with this partnership. Rettig continued that there have been several Great Lakes projects today and nearly every month there seems to be one or two. She said that while she is not opposed to any of these projects we need to keep in mind that there are 97 other counties with their own priorities and we need to be mindful of balancing those projects.

Motion carried unanimously.

LAND ACQUISITION APPROVED

Shimek State Forest, Lee County--Filz

The Natural Resource Commission's approval is requested to purchase a parcel of land located in western Lee County. Brent and Kimberly Filz offer this 141-acre tract for the appraised price of \$310,200. The sellers will retain the CRP payments as may be earned on 25 acres through 2011.

Steve Badger, Licensed Appraiser of Marshalltown, Iowa, submitted the appraisal. Rick Hansen negotiated the purchase agreement.

This property is located 2 miles southeast of Croton. The tract is adjacent north of the Croton Unit of Shimek State Forest. The gently-sloping to steep tract is comprised of 77 acres of forested land, 25 acres of grassland enrolled in CRP, 35.5 acres cropland, and 3.5 acres of roads and ditches. The average Corn Suitability Rating of the property is 31. There are no building improvements. Two creeks bisect the property. A gravel-based county road provides access to the west side of the tract.

This tract will increase the Croton Unit to 1,970 acres, and will provide wildlife habitat, improve surface water quality, and enhance public recreation to this area. The Forestry Bureau will manage the property in accord with the area management plan.

Acquisition funding will be provided by REAP Open Spaces from the Fiscal Year 2009 Budget. This acquisition will stay on the tax rolls. No survey or fencing costs is anticipated. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Kramer to approve the purchase of a 141-acre tract of land located adjacent to Shimek State Forest in Lee County from Brent and Kimberly Filz for the appraised price of \$310,200. Seconded by Commissioner Drees.

Travis Baker described other adjacent land from these same landowners that may be a future acquisition. Commissioner Garst reiterated her comment about right of first refusal made during the last meeting that may be applicable to this acquisition. She said that every time a deal is made and we are not quite getting what we want, people who are providing rights of first refusal may think of it as not worth anything, but it could be enormously valuable for us down the road.

Linda Hanson explained that after the comment last month regarding right of first refusal, a check with staff indicated that a right of first refusal is always part of the agreement if we can get that negotiated. She said that is basically a standard operating procedure of that bureau.

Motion carried unanimously

LAND ACQUISITION APPROVED

CLOSED SESSION

The Commission is requested to go into closed session for the purpose of discussing strategy for acquiring a piece of property pursuant to Iowa Code 21.5(j).

Motion was made by Commissioner Rettig to go into closed session according to Iowa Code 21.5(j) to discuss the purchase of particular real estate only where premature disclosure could be reasonably expected to increase the price the governmental body would have to pay for the property. Seconded by Commissioner Kramer. Motion carried unanimously.

Following discussion during closed session, motion was made to return to open session by Commissioner Rettig. Seconded by Commissioner Garst. Motion carried unanimously.

No decisions were made during closed session.

Motion was made by Commissioner Rettig to amend the agenda by moving Item 8 up on the agenda. Seconded by Commissioner Francisco. Motion carried unanimously.

The motion was removed from the table when participants were unavailable.

Stephens State Forest, Monroe County—Hardwood Timberland Unlimited

The Natural Resource Commission's approval is requested to purchase a parcel of land located in Monroe County adjacent north, south, and east of state-owned and managed Stephens State Forest. Hardwood Timberland Unlimited (James Pierce et al) offers this 180-acre tract for \$360,000. The appraised price of the property is \$433,800.

Robert Johnston, Licensed Appraiser of Ames, Iowa, submitted the appraisal. Rick Hansen negotiated the purchase agreement.

This property is located about 22 miles northwest of Albia in northwestern Monroe County. The upland tract reflects moderately sloping to steep topography. The property consists of 154 acres of forested land, 25 acres of grassland, with the remainder in roads. Sage Creek bisects the easterly 20 acres of the tract. A small hunting cabin located near the north center of the tract has an estimated value of \$3,000. The DNR will remove the cabin. A county gravel road provides access to the east side of the property.

This acquisition will adjoin the Thousand Acre Unit of Stephens State Forest on three sides, while increasing the size of this unit to 2,940 acres. The acquisition will enhance public recreation and consolidate the unit. The Forestry Bureau will manage the property in accord with the area management plan.

Acquisition funding will be provided by 100% REAP Open Spaces (see Capital Link #62). No survey or fencing costs is anticipated. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Kramer to approve the purchase of a 180-tract of land located adjacent to Stephens State Forest in Monroe County from Hardwood Timberland Unlimited (James Pierce, et al.) for \$360,000. Seconded by Commissioner Francisco. Motion carried unanimously.

LAND ACQUISITION APPROVED

Rock Creek WMA, Jasper County—Olaf Young Estate

The Natural Resource Commission's approval is requested to purchase a parcel of land located in northeastern Jasper County. The Olaf Young Estate (Bette Sample, Executor) offers this 138.5-acre tract for the appraised price of \$475,409.

Steve Badger, Licensed Appraiser of Marshalltown, Iowa, submitted the appraisal. Rick Hansen negotiated the purchase agreement.

This property is located 7 miles northeast of Kellogg. The tract is adjacent north and east of Rock Creek Wildlife Management Area (WMA), and just north of Rock Creek State Park. The gently-sloping to steep tract is comprised of 83.3 acres of grassland enrolled in CRP, 47.2 acres of permanent pasture and creek, a 6.0 acre building site, and 2.0 acres of roads. The average Corn Suitability Rating of the property is 53. A county gravel road severs the property with 37.5 acres to the west and 99 acres to the east side thereof. A creek bisects the east 99 acres.

Building improvements are valued at \$33,000, and include a 1,344 square foot, ranch-style home built in 1983 and two, old frame barns. The DNR plans to remove the buildings from the site.

This tract will increase the Rock Creek WMA to 835 acres. The acquisition will provide wildlife habitat, improve water quality, and enhance public recreation to this area. This tract will also serve as a possible future dredge spoil containment site. The Wildlife Bureau will manage the property in accord with the area management plan.

Acquisition funding will be provided by 100% Lake Water Quality Improvement fund (Capital Link # 50). No survey or fencing costs are anticipated. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Rettig to approve the purchase of a 138.5-acre tract of land at the Rock Creek Wildlife Management Area in Jasper County from the Olaf Young Estate (Bette Sample, Executor) for the appraised price of \$475,409. Seconded by Commissioner Francisco.

Short discussion ensued regarding the buildings and the reasons for not retaining buildings/houses on state properties. Considerations include the liability and cost of upkeep, as well as consideration of what the management use of the area is. Director Leopold said that while that is true of most buildings or houses on acquired property, we like staff to be in existing housing in our state parks.

Commissioner Drees related that this tract will be a dredge spoil site. He asked what other water quality projects are there since it is funded 100% water quality improvement. Director Leopold noted that Rock Creek is one of the designated priority lakes in our Lakes Restoration Program and the entire watershed has been done. He said this is part of that plan and includes both the scientific/technical and the socio-economic benefit of doing these projects.

Motion carried unanimously.

LAND ACQUISITION APPROVED

Motion was made by Commissioner Rettig to move Item 8 up on the agenda for immediate action. Seconded by Commissioner Commissioner Drees. Motion carried unanimously

HONEY CREEK RESORT STATE PARK MONTHLY UPDATE

Liz Christiansen introduced staff from Central Group who will make a presentation on Honey Creek on advertising and promotion in order to get the lodge and golf course and all aspects of Honey Creek filled every day. She announced that as a result of timing, she would be stepping into the role as Project Manager for Honey Creek Resort. She said that she was able to train with Terry Montgomery for two weeks before his leaving and has compiled a team which brings great

talent to the project and helps overcome some of her own weaknesses she has. Christiansen said the Director is supportive as well as the management team of Linda Hanson and Ken Herring.

Commissioner Garst commented that while Christiansen may be a great general manager, she is concerned that Montgomery had a business money-crunching mind and that as a public servant, Christiansen has a do-gooder mind. She asked where the business mind number-cruncher is in the plan.

Christiansen responded that the Director considered her talents and skills as an effective deputy director, including great organizational skills, great communication skills and the ability to be a team leader when considering her as Project Manager. She said she meets frequently with the department's bureau chiefs and is having the Honey Creek budget entered into the state accounting system so that the Auditor and Treasurer's Office can have daily reconciling and everyone has an accurate accounting. Christiansen said a Honey Creek report is prepared at the end of the fiscal year that is presented to the Bond Authority, the legislators, the Commission and the public. In addition, team meetings are being held weekly where bureau chiefs and staff talk about hot issues, what needs to be addressed, what decisions need to be made, etc.

Director Leopold reported that he has been personally involved and has talked with the Treasurer and Auditor and all the Bonding Authority people, they know that this is happening and they have stepped up oversight, too. He said this has become the number one priority in the Director's Office and other deputy director responsibilities have been re-delegated, so Liz's time can be directed to Honey Creek Resort.

Linda Hanson expressed her support and confidence, along with the support of Ken Herring, in naming Liz Christiansen as Project Manager for Honey Creek Resort. She noted that Christiansen has been the Chief Operating Officer for a budget of over \$120 million in terms of operations of this agency and over \$80 million in terms of capitals for which she has been responsible and crunched numbers for.

Christiansen suggested that at the next meeting she may ask Jennifer Nelson, Budget and Finance Bureau Chief, to present the new format of the Honey Creek budget.

Commissioner Rettig expressed concern with the construction schedule on the cabins and the activity center. She said that financially it seems that all the number crunching hinges on opening those cabins as soon as we can. Liz Christiansen responded that Terry Montgomery had shared that with her and she downloaded that to TSP and copied the entire team so they know the schedule as well. She said TSP met the delivery date and the plans are currently being reviewed. The cabin plans will be released for bid on May 21 and TSP has been informed that no addendums can be made to that bid package ten days prior to the award so that all contractors are dealing with the same information, resulting in the best chance of getting the most competitive bid as possible. This contract should be before the Commission for decision in July.

Regarding a question from Commissioner Bird, Ms. Christiansen stated that the original plans for the cabins have not changed materially, but the aspect of the locations may have changed

some. Don Labate explained that 11 of the 28 cabins were flipped to make the site angles and view angles better, but the plans themselves have not changed.

Commissioner Bird asked if Vieco would be sent a bid package. Christiansen replied that she would be contacting Vieco personally to encourage them to come forward with a bid. She said that understandably there are some hard feelings but they were very interested in this project and may still want to be part of Honey Creek Resort

Commissioner Rettig requested that budget numbers and the timelines for these projects be sent to her. She also expressed that while she understands that construction must be phased in, she has concern about construction being done while customers, who go to the resort expecting to find peace, comfort and for rejuvenation and are expected to pay lots of money, are there. Rettig said construction should start in the areas that are not as visible or as active for the people who are using the facilities in the fall.

Don Labate said that all cabin designs are fairly low impact on the earth. He said the cabins are all built on piers so concrete will be poured without much land disturbance and without a lot of large earth moving equipment. Labate said that once the concrete is in, there will be mostly framing taking place and the cabins are all on spur roads rather than main roads.

Christiansen reported that work is progressing on the construction site with bio retention ponds and drainage from the parking areas and finish contractors are starting this week. She said Kelley Myers and Ed Tormey are working with her on contracts with lagoon management and with RLR on donation arrangements. In addition, Communications continues with a co-promotion with our fishing license effort to promote Honey Creek with the NASCAR event coming up. There will be an article on Honey Creek Resort in the next magazine issue. Christiansen said that next month the budget will be provided, along with a LEED certification update.

Michelle Wilson displayed some interpretive signs for state parks that will be similar to the interpretive signs on the trails at Honey Creek. Discussion continued with regard to staffing for interpreters and activities.

Introductions were made of Bob Pace, CEO of Central Group, Lee Fundanet, Director of Operations and Libby Wiemer, Director of Marketing and Promotions for Central Group. They described their company, their expertise and their role at Honey Creek and answered individual questions on their staffing, planned activities, trails, bike rental, room rates, seasonal rates, amenities, restaurant menus, etc. Discussion continued about environmentally friendly and sustainability of products being used at Honey Creek. Director Leopold noted the LEED certification and wastewater treatment aspects of the building.

Commissioner Rettig expressed disappointment that a sustainable building is being built but is being furnished with non sustainable furnishings. She pointed out that there is not a recycled symbol on any of the furnishing samples used in the promotional materials. Rettig said the department should practice what it preaches and lead by example. She said all products should be environmentally responsible and environmentally sustainable in every detail and not just in this building, but in every project that we do.

Central Group explained their limited timeframe with which they had to put together options for furnishings and make final selections with manufacturers. They also noted their work with Rathbun Lakes Association to do bottled waters for the rooms and their support for both the locality and for ecology. They offered assurance that they will be very sensitive in all aspects of the operation at Honey Creek.

INFORMATION ITEM

Boone Forks WMA, Webster County—Vegors Cemetery Land Exchange

The Natural Resource Commission's approval is requested for an exchange of real estate with Webster Township-Vegors Cemetery. Both tracts are located at Boone Forks WMA in southeastern Webster County. The State of Iowa land is one acre. The replacement tract from Vegors Cemetery is estimated to be slightly less than one acre.

Rick Hansen, Licensed Appraiser of the DNR Realty Services Section, performed the valuation and negotiated the exchange agreement. The appraised value of the State of Iowa land is \$3,500 per acre. The appraised value of the replacement land is \$1,875 per acre. Webster Township-Vegors Cemetery will pay Iowa DNR the difference based upon the exact acreage as determined by a registered land surveyor.

The State of Iowa tract is gently sloping hay land positioned adjacent north of the northeast corner of the cemetery. Vegors Cemetery will utilize the property for burial spaces.

The replacement land is steep hillside timber adjacent to the existing Boone Forks WMA. This forested tract is not useful to the cemetery, but it does fit uniformly with the adjacent forested state land to the southeast.

Vegors Cemetery is a historic place. There is a significant interest by the public in the form of tours and school buses visiting the site.

Webster Township-Vegors Cemetery will pay for the two land surveys required for the land exchange, as well as provide for a fence of the north tract. Incidental closing costs will be the responsibility of Vegors Cemetery.

Commissioner Bird presented some history of this land.

<i>Motion was made by Commissioner Francisco to approve an exchange of approximately an acre of State of Iowa land appraised at \$3,500 per acre with slightly less than one acre of land valued at \$1,875 per acre with Webster Township-Vegors Cemetery. Webster Township-Vegors Cemetery will pay Iowa DNR the difference based upon the exact acreage as determined by a registered land surveyor. Seconded by Commissioner Rettig. Motion carried unanimously.</i>

LAND EXCHANGE APPROVED

BOUNDARY AGREEMENT – BLACK HAWK LAKE STATE BANK AND BLACK HAWK MANAGEMENT AREA, SAC COUNTY

Linda Hanson, Administrator, Management Services Division, presented the following item.

The Natural Resource Commission's approval is requested to enter into a boundary agreement with the Provost Trust (Trust) to redefine the boundary between Trust property and state property along the south side of Black Hawk Lake State Park in Sac County.

The state acquired the property that is the subject of this proposed agreement under two fee title purchases in 1935 and 1936. The tracts consisted of a 10 acre northerly tract riparian, a 15 acre southerly tract riparian and a connecting 40 foot wide by 2,737 foot long right of way occupied by an existing road. The riparian tracts are managed as Black Hawk Wildlife Management Area and the connecting road is managed as part of Black Hawk Lake State Park. The road was realigned and paved in the mid 1960s.

Today the Trust owns the riparian property between the 40 foot right of way and the lake. The Trust recently hired a registered land surveyor to locate the boundaries of its property adjacent to the state's property. The survey revealed numerous errors in previous land surveys of the area. The road realignment resulted in long standing occupation and use of the right of way area by both the DNR and the Trust in conflict with the original deed descriptions. Additionally, approximately 15 feet by 60 feet of the southerly parcel in the wildlife area is occupied by the Trust with a portion of a cabin and a maintained yard. Located immediately adjacent, the DNR occupies Trust property with a portion of the public parking area.

Based on staff review of the land survey and its review of the history of use of the property, the proposed boundary agreement recognizes title to the property in accordance with both parties' long existing land use and to correct the public land survey records. The agreement will mutually benefit both the state and the Trust. The Trust has provided all the survey costs associated with this issue to date. A minor amount of additional land surveying will be required. The Trust has agreed to pay one half of the additional cost. The cost to the state for the additional survey will not exceed \$500.

Motion was made by Commissioner Rettig to approve enter into a boundary agreement with the Provost Trust (Trust) to redefine the boundary between Trust property and state property along the south side of Black Hawk Lake State Park in Sac County as presented. Seconded by Commissioner Francisco. Motion carried unanimously.

BOUNDARY AGREEMENT APPROVED

LAND AND WATER CONSERVATION FUND – CITY AND COUNTY GRANTS

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to approve the ranking of the project applications for the Land and Waters Conservation Fund Program, City and County Grants, and award grants to applicants in that ranked order and as funds are available. The Land and Water Conservation Fund is a federal fifty percent cost share grant program. The funds may be used by Iowa's cities and counties for outdoor recreation projects and is governed by program rules adopted in Chapter 27 of the Iowa Administrative Code.

The Department received 27 applications by the March 14, 2008 deadline, comprising a total request of \$129,449.00 for over \$22M in projects. The five-member Review and Selection committee, comprised of three department staff and two persons appointed by the Director with input from the Iowa Association of County Conservation Boards, the Iowa League of Cities and the Iowa Parks and Recreation Association, scored and ranked the applications based on the following criteria, as established by rule: Relationship to SCORP Priorities (Statewide Comprehensive Outdoor Recreation Plan); direct recreation benefits provided; local need; and quality of the site. In addition, the Review and Selection committee awarded bonus and penalty points, also as established by rule, based on such criteria as: level of prior assistance from the LWCF; special features for the elderly and handicapped; minority populations served; degree of public participation and support; recycled content material use; and level of planning that has preceded the application for a LWCF grant.

The Department has not received the official grant from the U.S. Department of the Interior, but anticipates that Iowa's apportionment will be approximately \$300,000.00. The Department intends to make one-half of Iowa's grant from the U.S. Department of Interior available to these applicants. The Department requests that the Commission approve the proposed rankings and approve the Department's funding of these projects in the order they are listed and as funds are available. The Department also requests the Commission to approve awarding funds to lower-ranked applicants on this list but not initially awarded, as funds may become available or are otherwise not utilized by prior awardees.

Ranked list of Land and Water Conservation Fund
City and County Grants

5/8/08 NRC Ranking	Applicant -2008	Project	Request	Total Cost	Score (Avg)
1	Linn County Conservation Board	A-Loop Expansion Squaw Creek Park	75,000.00	694,500.00	70.6
2	Tipton, City of	Tipton City Park Multi-Sport Courts	61,977.50	123,955.00	70.4
3	Waterloo, City of	Mark's Park	50,000.00	400,000.00	68.6
4	Burlington, City of	Flint River Trail (development of abandoned railroad right-of-way)	108,019.50	216,039.00	68.4
5	Dubuque, City of	EB Lyons Center Expansion	175,000.00	1,768,557.00	67
6	Union County Conservation Board	Twelve Mile Lake Campground Development	60,000.00	120,511.91	66.9
7	Corning, City of	New Corning Aquatic Center	75,000.00	2,202,000.00	65.4
8	Morrison, City of	Morrison Town Park Renovation	17,866.00	35,733.00	64.8
9	Carroll, City of	Carroll Aquatic Center Project	125,000.00	4,125,000.00	64
10	O'Brien County Conservation Board	Mill Creek State Park Renovation	60,000.00	120,000.00	63
11	Frederika, City of	Frederika Town Park Renovation	10,105.00	20,744.00	62.5
12	Britt, City of	Britt Muncipal Aquatic Center	75,000.00	2,200,000.00	61.2
13	Luxemburg, City of	City Park Improvements	23,368.00	46,736.00	61.2
14	Des Moines County Conservation Board	Land Acquisition for Flint River Trail/Thye Woods Expansion	59,006.00	118,012.00	61
15	Stuart, City of	Stuart Aquatic Center	75,000.00	1,710,300.00	60.6
16	Rock Rapids, City of	Island Park Trail Extension	40,500.00	90,000.00	60.4
17	Grinnell, City of	Grinnell Family Aquatic Center & Lion's Park Development	100,000.00	5,971,000.00	60
18	Story County Conservation Board	Hickory Grove Park-Toddler Play Area	4,165.00	9,165.00	59.6
19	Buchanan County Conservation Board	Jakway Park Shower House	42,000.00	84,000.00	59.3
20	Wapello, City of	Install fishing pier	12,844.00	25,688.00	59.2
21	Waverly, City of	Brookwood Park Redevelopment, Phase III	50,000.00	120,000.00	59.1
22	Monona County Conservation Board	Huff-Warner Access Area Shower House Materials	46,000.00	92,000.00	58.4
23	Indianola, City of	Indianola Memorial Park Amphitheater & Restroom Improvements	125,000.00	267,000.00	57.6
24	Birmingham, City of	Birmingham City park Shelter House	50,000.00	138,000.00	57.5
25	Lyon County Conservation Board	Lake Pahoja Playground Structures	23,598.00	47,196.00	57
26	Mitchell County Conservation Board	Wapsi Great Western Line Trail	125,000.00	1,527,083.00	55.8
27	Carson, City of	Nishna Loop Land Acquisition	50,000.00	137,000.00	53.2

Motion was made by Commissioner Rettig approve the proposed rankings and approve the Department's funding of these projects in the order they are listed and as funds are available, and to approve awarding funds to lower-ranked applicants on this list but not initially awarded, as funds may become available or are otherwise not utilized by prior awardees. Seconded by Commissioner Kramer.

Commissioner Rettig commented that having all applicants listed is helpful to prove interest in the program and is important for elected officials who handle budget to understand that interest. Rettig noted that Iowa's apportionment will be approximately \$300,000.00 with up to \$150,000 would be allocated. She asked what the other \$150,000 would be spent on. Ken Herring responded that the other \$150,000 would go to state parks projects.

Motion carried unanimously.

GRANTS APPROVED

AGREEMENT FOR SHARED INTERPRETIVE SERVICES–WEBSTER COUNTY CONSERVATION BOARD

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Department requests Commission approval of an agreement between the Iowa Department of Natural Resources and the Webster County Conservation Board in the amount of \$67,500 over three years. The agreement will provide for a naturalist aide position, which will promote and provide stewardship education and conservation literacy opportunities to the residents of Webster County and to the visitors of Brushy Creek State Recreation Area and Dolliver Memorial State Park.

Pursuant to this agreement, the Webster County Conservation Board and the Iowa Department of Natural Resources will jointly fund the naturalist aide position, which will be under the direction and supervision of the Webster County Conservation Board but will work in cooperation with the Department. The Department is committing to fund this position at \$22,500 per year for three years. Webster County Conservation Board will be responsible to fund the remainder of the position.

This position will provide public programming in the county and both state parks.

Motion was made by Commissioner Garst to approve an agreement between the Iowa Department of Natural Resources and the Webster County Conservation Board in the amount of \$67,500 over three years to help fund a naturalist aide position. Seconded by Commissioner Rettig. Motion carried unanimously.

AGREEMENT APPROVED

WASTEWATER TREATMENT REVOLVING LOAN FUND INTEREST REDUCTION

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to authorize the Director to execute an amendment to the loan agreement to reflect the interest rate reduction. The Iowa Finance Authority has offered a reduction in the interest rate to the current loan rate of 3% over the remaining life of the loan, which would result in a savings to the Department of \$63,535.

The Commission on June 19, 1997, approved a resolution authorizing the Director to enter into a State Revolving Fund loan agreement through the Iowa Finance Authority in the principal amount of \$1,554,000 for the purpose of defraying the costs of construction of wastewater treatment improvements in certain state park facilities. A loan was issued on June 27, 1997, and funded such improvements at Beeds Lake, Big Creek, Honey Creek, Lake of Three Fires, and Pikes Peak state parks. The interest rate on this loan is 3.92% payable over 20 years.

Motion was made by Commissioner Garst to authorize the Director to execute an amendment to the loan agreement to reflect a reduction in the interest rate to 3% for the wastewater treatment revolving loan fund. Seconded by Commissioner Francisco.

Commissioner Garst requested that at a future meeting a report be made on how the department is doing with regard to sewerage of our parks.

Director Leopold acknowledged that the Iowa Finance Authority have been real friends of this department and do everything they can to assist us in our mission.

Motion carried unanimously.

LOAN AGREEMENT AMENDMENT APPROVED**NOTICE OF INTENDED ACTION—CHAPTER 40, BOATING SPEED AND DISTANCE ZONING (LAKE CORNELIA)**

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to approve the Notice of Intended Action to amend Chapter 40, “Speed & Distance Zoning,” of the Iowa Administrative Code. This proposed amendment, requested by the Wright County Conservation Board, will establish two no-wake zones on the north shore of Lake Cornelia in Wright County. One zone will designate the public swimming area and the second zone will designate the boat harbor and boat harbor entrance. The placement of regulatory buoys will define the no-wake zones.

This request is being made in an effort to regulate/reduce boat speed and increase swimmer and boating safety.

NATURAL RESOURCES COMMISSION[571]
Notice of Intended Action

Pursuant to the authority of Iowa Code sections 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 40 “Boating Speed and Distance Zoning,” Iowa Administrative Code.

This amendment is requested by the Wright County Conservation Board to establish two no-wake zones on the north shore of Lake Cornelia by placement of regulatory buoys in such a way as to define the no-wake zones. One zone will designate the public swimming area and the second zone will designate the boat harbor and harbor entrance. This request is being made in an effort to regulate and reduce boat speed and increase swimmer and boating safety.

Any person may make written comments on this proposed rule amendment on or before June 25, 2008. Such comments and written material should be directed to the Law Enforcement Bureau; Wallace State Office Building; Iowa Department of Natural Resources; 502 East 9th Street; Des Moines, Iowa 50319-0034. Persons who wish to convey their comments orally should contact Steve Derman of the Law Enforcement Bureau at (515)281-4515.

A public hearing will be held on June 25, 2008, at 9 a.m. in the Fifth Floor East Conference Room of the Wallace State Office Building, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who attend the public hearing and have special needs such as hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

This amendment is intended to implement section 456A.25 of the Code of Iowa.

The following amendment is proposed.

Amend 571—Chapter 40 by adopting the following new rule:
571--40.58(462A) Zoning of Lake Cornelia, Wright County. All vessels shall be operated at a no-wake speed in the boat harbor and at the boat harbor entrance within the zoned area extending 300 feet from shore and 100 feet wide. The Wright County Conservation Board shall designate the boat harbor entrance and the public swimming area with uniform marker buoys approved by the natural resource commission.

Date

Richard A. Leopold, Director

Motion was made by Commissioner Francisco to approve Notice of Intended Action—Chapter 40, Boating Speed and Distance Zoning (Lake Cornelia). Seconded by Commissioner Drees. Motion carried unanimously.

NOTICE APPROVED

EMERGENCY FINAL RULE—CHAPTER 40, SPEED AND DISTANCE ZONING (CLEAR LAKE)

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is asked to approve an Emergency Final Rule for Chapter 40, Boating Speed and Distance Zoning due to a dredging operation. The dredging is scheduled to start approximately July 1, 2008, and end approximately July 1, 2009. Due to safety concerns for recreational boating activity in this area, Department staff is requesting that a speed restriction be placed at the west end of Clear Lake in the area locally known as “Little Lake.”

NATURAL RESOURCE COMMISSION[571]**Adopted and Filed Emergency**

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission amends Chapter 40, "Boating Speed and Distance Zoning," Iowa Administrative Code.

Due to a dredging operation scheduled to start approximately July 1, 2008, and ending approximately July 1, 2009, Department staff is requesting that a speed restriction be placed at the west end of Clear Lake in the area locally known as “Little Lake.”

In compliance with Iowa Code section 17A.4(2), the Commission finds that notice and public participation are unnecessary because of safety concerns for recreational boating activity in this area.

In the interest of public safety and due to a short time frame before dredging will begin, the Department requests that the normal effective date of the amendment be waived and this amendment should be made effective upon filing, as allowed by Iowa Code section 17A.5(2), as it is needed to protect the safety and welfare of the Clear Lake recreational boating public.

The Natural Resource Commission adopted this amendment on May 8, 2008.

This amendment is intended to implement Iowa Code section 462A.17, 462A.26, and 462A.31.

This amendment will become effective on May 14, 2008.

The following amendment is adopted.

Rescind rule 571–40.55(462A) and replace it with the following new rule:

571—40.55 (462A) Zoning of Clear Lake, Cerro Gordo County.

40.55(1) Areas may be specifically designated for swimming with the use of regulatory buoys.

40.55(2) Areas within close proximity of dredging operations may be designated restricted speed areas.

Date

Richard A Leopold, Director

Motion was made by Commissioner Garst to approve Emergency Final Rule—Chapter 40, Boating Speed and Distance Zoning (Clear Lake). Seconded by Commissioner Francisco.

Commissioner Rettig questioned why this rule had to be filed as an emergency rule and also pointed out that the text indicates that the Commission approved the rule on this date and was typed in before the Commission had officially approved the rule. She requested that line be left blank until after it is officially approved at the meeting.

Ken Herring explained that staff knew that dredging would be done at Clear Lake and staff oversight may have resulted in the necessity of this emergency rule.

Motion carried unanimously.

EMERGENCY FINAL RULE APPROVED

AGREEMENT BETWEEN IDNR AND DUCKS UNLIMITED

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is asked to approve an agreement between the Department and Ducks Unlimited, Inc. (DU) for support of habitat development and restoration activities in Saskatchewan, Canada, in the amount of \$34,155. The agreement represents 15% of revenue generated from the sale of the Iowa duck stamp privilege required by migratory waterfowl hunters.

DU, under this Agreement, will develop, preserve, restore, construct, maintain and repair lands and structures that provide the most advantageous habitat for reproduction for migratory waterfowl that are common to Iowa. The Department is interested in this habitat work in Canada because it will increase the numbers of and opportunities for waterfowl that migrate to Iowa.

This agreement has been in place every year since the duck stamp funds have been available, with exception last year when DNR used some of the funds for joint DU and Department projects in the state due to budget shortfalls for state-level programs.

Motion was made by Commissioner Francisco to approve an agreement between the Department and Ducks Unlimited, Inc. (DU) for support of habitat development and restoration activities in Saskatchewan, Canada, in the amount of \$34,155. Seconded by Commissioner Drees.

Commissioner Rettig asked what other states contribute money to habitat in Canada and if it is required by law. She requested a map of the states in the Midwest and the percentage of funds they send to this project, adding that she understands the benefits of funding the project but that it is awkward to ship money we could be spending here up to Canada for habitat. Rettig said that at a time when we are begging in the legislature to give us money to do projects in Iowa, and we are taking money we could use in Iowa and giving it to Canada, is a difficult argument.

Ken Herring responded that Iowa Code allows for up to 15% of our waterfowl stamp revenue to be utilized and that all states in the Midwest do contribute, but he would have to obtain the percentage of contributions from DU.

Director Leopold explained that this is a user pay system and is not out of taxes. He said no direct tax dollars sent but rather duck stamp dollars. Leopold noted that Ducks Unlimited is a fantastic partner with DNR and thousand of dollars of projects a year is received through Ducks Unlimited. Commissioner Drees expressed the importance of the habitat maintenance and restoration in the Prairie Pothole region.

Ken Herring offered to provide information regarding contributions from other Midwest states and percentages of where Iowa ranks in terms of total contributed. He suggested the Ducks Unlimited give a partnership presentation at the future Odessa meeting.

Motion carried unanimously.

DU AGREEMENT APPROVED

FINAL RULE—CHAPTER 37, BOATING SAFETY EQUIPMENT

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission's approval is requested to amend Iowa Administrative Code section 571—37.6(2), Boating Safety Equipment - "Vessels not powered by motor or sail."

The Commission approved Notice of Intended Action for this item at the December 13, 2007, meeting.

The amendment will modify visibility requirements for vessels not powered by motor or sail; will exclude some rivers from the rules regarding such vessels; and will add a requirement to make such vessels apparent in the event that light is obscured.

Notice of Intended Action was published January 16, 2008 as ARC 6539B. Public comments were accepted on or before February 5, 2008. No public comments were received and no changes were made to the Notice of Intended Action.

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 37, "Boating Safety Equipment," Iowa Administrative Code.

The amendment will modify visibility requirements for vessels not powered by motor or sail; will exclude some rivers from the rules regarding such vessels; and will add a requirement to make such vessels apparent in the event that light is obscured.

Notice of Intended Action was published January 16, 2008, as ARC 6539B. Public comments were accepted on or before February 5, 2008. No public comments were received and no changes were made to the Notice of Intended Action.

This amendment is intended to implement Iowa Code chapters 455A and 462A.

This amendment shall become effective July 9, 2008.

The following amendment is adopted.

Amend subrule 37.6(2) as follows:

37.6(2) Vessels not powered by motor or sail. All vessels not powered by motor or sail and not at anchor shall exhibit a white light to show 360 degrees around the horizon that is visible from at least one mile under clear conditions between the hours of sunset and sunrise when operated on natural lakes, Corps of Engineers impoundments, border rivers excluding border portions of the Big Sioux and Des Moines rivers, and impoundments on inland rivers. If the white light is partially obscured due to the nature of the craft, an additional white light must be shown in sufficient time to prevent collision. When operated on bodies of water other than those listed in this subrule, all vessels not powered by motor or sail and not at anchor shall have in possession a ~~hand-held~~ white light to be used when necessary between the hours of sunset and sunrise.

Date

Richard A. Leopold, Director

Motion was made by Commissioner Francisco to approve Final Rule—Chapter 37, Boating Safety Equipment. Seconded by Commissioner Rettig. Motion carried unanimously.

FINAL RULE APPROVED

Commissioner Garst was absent for the remainder of the meeting.

FINAL RULE—CHAPTER 30, WATER RECREATION ACCESS COST SHARE PROGRAM

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission's approval is requested to amend Iowa Administrative Code section 571—30, "Water Recreation Access Cost–Share Program."

The amendments will supplement the current chapter with a Water Trails Development Program and Low–Head Dam Public Hazard Program and rename the chapter "Waters Cost–Share and Grant Programs."

The Commission approved Notice of Intended Action for this item at the Nov. 8, 2007 meeting.

Notice of Intended Action was published December 5, 2007, as ARRC 6444. Public comments were accepted on or before January 2, 2008. No public comments were received.

Changes made to the Notice of Intended action are in response to priorities established in legislation finalized during the 2008 legislative session and in order to instate reporting requirements similar to other departmental granting programs. These changes include the name of the program being changed to mirror Iowa Code under HF2701, which will also reduce confusion between the new “Low-Head Dam Public Hazard Program” and the Department’s floodplains dam safety program that relates to reducing flooding when dams fail; eligibility being extended to all dam owners rather than only communities; for signage, posts, and related cabling to be eligible at a lower 20 percent local cost-share, rather than the 50 percent Department cost-share required on all other eligible projects; clarify that secondary recreational and ecological goals can be included in projects; and to require the applicant to file mid-term reports.

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 30, “Water Recreation Access Cost-Share Program,” Iowa Administrative Code.

The amendments will supplement the current chapter with a Water Trails Development Program and Low-Head Dam Public Hazard Program and rename the chapter “Waters Cost-Share and Grant Programs.”

Notice of Intended Action was published December 5, 2007, as ARRC 6444. Public comments were accepted on or before January 2, 2008. No public comments were received. Changes made to the Notice of Intended action are in response to priorities established in legislation finalized during the 2008 legislative session and in order to instate reporting requirements similar to other departmental granting programs. These changes include the name of the program being changed to mirror Iowa Code under HF2701, which will also reduce confusion between this program and the department’s floodplains dam safety program that relates to reducing flooding when dams fail; eligibility being extended to all dam owners rather than only communities; for signage, posts, and related cabling to be eligible at a lower 20 percent local cost-share, rather than the 50 percent Department cost-share required on all other eligible projects; clarify that secondary recreational and ecological goals can be included in projects; and to require the applicant to file mid-term reports.

These amendments are intended to implement Iowa Code chapters 455A, 461A, and 462A.

The amendments shall become effective July 9, 2008.

The following amendments are adopted.

ITEM 1. Amend 571—Chapter 30, title, as follows:

~~WATER RECREATION ACCESS COST-SHARE PROGRAM~~
WATERS COST-SHARE AND GRANT PROGRAMS

ITEM 2. Amend 571—Chapter 30 by adding the following new title before rule 571—30.1(452A):

DIVISION I

WATER RECREATION ACCESS COST-SHARE PROGRAM

ITEM 3. Amend rule 571—30.1(452A) as follows:

571—30.1(452A) ~~Purpose~~ Title and purpose. This division shall provide rules for the water recreation access cost-share program. The purpose of this ~~rule~~ division is to define procedures for cost sharing between state and local public agencies to provide for the acquisition or development of public recreational boating accesses to Iowa waters.

ITEM 4. Amend 571—Chapter 30 by adopting the following new Division II:

DIVISION II

WATER TRAILS DEVELOPMENT PROGRAM AND LOW-HEAD DAM PUBLIC HAZARD PROGRAM

571—30.51(455A,461A,462A) Definitions. For purposes of this division, the following definitions shall apply:

“Advisory committee” means the water trails advisory committee.

“Commission” means the natural resource commission.

“Coordinator” means the staff person of the department responsible for implementing this division.

“Department” means the department of natural resources.

“Director” means the director of the department of natural resources.

“Low-head dam” means a uniform structure across a river or stream that causes an impoundment upstream, with a recirculating current downstream.

“Navigable waters” means all lakes, rivers, and streams, which can support a vessel capable of carrying one or more persons during a total of six months period in one out of every ten years.

“Scoring committee” means the water trails scoring committee, which consists of the coordinator, two other department staff members appointed by the director, and two representatives of the water recreation community selected by the director.

“Sponsor” means an eligible applicant, as described in these rules.

“Water trail” means a point-to-point travel system on a navigable water and a recommended route connecting the points.

571—30.52(455A,461A,462A) Purpose and intent. The water trails development program and the low-head dam public hazard program provide funds to assist development of local water trails on navigable waters of the state of Iowa and to support safety projects for low-head dams in the state of Iowa. The programs will be available to fund two types of projects: those that enhance water trails development and recreation and those that are limited to projects that primarily enhance dam safety in order to reduce drownings.

571—30.53(455A,461A,462A) Program descriptions.

30.53(1) Water trails development program. The department will provide funds to cities, counties and nonprofit organizations in the state of Iowa to develop water trails eligible for designation throughout the state. The goal of the water trails development program is to assist and encourage the development of community-driven water trails that provide features described herein and appropriate river management through the design and spacing of accesses. At the same time, the program shall discourage unnecessary impacts to natural resources through construction. Water trails development program projects may be eligible to become designated

water trails, as determined by the department, and may be eligible for inclusion in the department's marketing materials.

30.53(2) Low-head dam public hazard program. The department will provide funds to cities and counties within Iowa to undertake projects that warn the general public about drowning hazards related to low-head dams or that remove or otherwise modify low-head dams to create a safer experience on Iowa's navigable waters. Low-head dam removal and modification projects, when possible, shall enhance or restore ecological and recreational functions of rivers, including but not limited to fish passage, aquatic habitat, and navigation.

571—30.54(455A,461A,462A) Announcement of funding opportunity. The coordinator shall announce, at least annually, the availability of funds for the programs, designate a time and place for receiving proposals, identify any additional requirements to those enumerated in this division for successful applications, and provide at least 90 days for sponsors to submit such proposals. Not more than quarterly, the department shall provide for additional application cycles if additional funds are made available or otherwise become available.

571—30.55(455A,461A,462A) Grant requirements. By submitting a proposal pursuant to this division, a sponsor will agree to the following terms and conditions:

30.55(1) Maintenance and ownership. The sponsor will assume the overall maintenance of the integrity of the project or shall otherwise make agreements with landowners and other interested parties for such long-term maintenance as may be required.

30.55(2) Agreements. Before funds are disbursed, the sponsor will enter into a project agreement with the department. The agreement shall detail and further define the relationship of the parties.

30.55(3) Resource impacts. The sponsor will install safeguards and otherwise ensure that the proposed project will have minimum or negligible impacts on natural resources.

30.55(4) Timely commencement of projects. Funds must be completely expended within two years of the award. If the sponsor is not able to complete a project within the original time period, the sponsor must seek and receive an extension from the department to be eligible for funds beyond the original time period for completion.

30.55(5) Reports. The sponsor shall be responsible for the filing of a mid-term report about the status of the project. The report shall include a description of funds expended and any issues encountered or problems that may delay or otherwise cause the project not to be completed. The sponsor shall submit a final report, which shall include the complete budget outlay for the completed project; samples of the completed project, if applicable; and a narrative of the project.

30.55(6) Expenditures. The sponsor shall expend all funds in accordance with the sponsor's governance documents, which may include applicable provisions of the Code of Iowa.

30.55(7) Record keeping. The sponsor shall keep all project records for three years after the final report is completed. These records are to be available for audit by the state.

30.55(8) Grant amendments. For any deviation from the project outlined in the original application, the sponsor must receive approval from the coordinator in advance via electronic mail or in writing.

30.55(9) Permits and licenses. The sponsor must obtain any and all required licenses and permits from federal, state, and local authorities before commencing any activity pursuant to a grant award.

30.55(10) Control of project site. The sponsor must demonstrate that the project site or sites are under the physical control of the sponsor or its partners, either by fee title, lease,

management agreement, or easement. The term of a lease, management agreement, or easement must be commensurate with the life expectancy of the proposed improvements.

571—30.56(455A,461A,462A) Application procedures. For proposals to be considered for funding, the sponsor shall submit them in the following manner:

30.56(1) The sponsor will submit an application on the forms provided by the department postmarked by the date provided in the grant opportunity announcement. The forms shall include in the project narrative a statement of grounds for eligibility.

30.56(2) The sponsor will support any claim of cost share through a signed letter from the organization providing the cost share.

571—30.57(455A,461A,462A) Proposal evaluation. Proposals will be evaluated by the scoring committee. The scoring committee shall evaluate both water trails development program proposals and low-head dam public hazard program proposals.

571—30.58(455A,461A,462A) Sponsor eligibility.

30.58(1) Water trails development program. The water trails development program is limited to local divisions of Iowa government and to nonprofit organizations recognized and incorporated pursuant to the laws of Iowa.

30.58(2) Low-head dam public hazard program. The low-head dam public hazard program is available to dam owners, including counties, cities, state agencies, cooperatives, and individuals.

571—30.59(455A,461A,462A) Project eligibility.

30.59(1) Water trails development program. The scoring committee will evaluate proposals for water trails development projects to determine whether the projects will achieve, or achieve progress related to, the goal of creating water trails that may ultimately be eligible for designation on navigable waters in the state of Iowa. The following types of projects may be eligible:

a. Accesses. Construction of low-impact water access points or other conveyances by which recreational users are provided a means of legally placing vessels in the water and removing them.

b. Land acquisition for water trail development. Purchases of easements or fee title lands that will be used for water trail navigation, such as access, portage, camping, or other uses related to navigation on a water trail.

c. Dam warning signage. Warning signs, supporting structures, and navigational aids such as buoys at and near low-head dams.

d. Navigation and interpretive signage. Various water trail signs and markers, as needed, to instruct recreational users about safe uses, regulations of access areas, and surrounding area characteristics.

e. Portages. Construction of portage trails where a portage would aid navigation or around dangerous water areas, such as dams, unnavigable waters, or any other sections of water that are potentially dangerous or life-threatening.

f. Related construction and development. Construction and development of items related to water trail navigation, including dam modification/removal; and amenities such as access roads or parking areas, canoe racks or bike racks for shuttling purposes, and restrooms, picnic areas, and campsites that are easily accessible from waterways of primary use by water travelers; and contracted costs of developing any of the water trails navigational amenities listed. Direct labor costs to the sponsor may count toward in-kind match according to prevailing local wages, up to \$10.50 per hour.

g. Promotion. Informational publications of water trails for public access and online materials available to the public.

h. Education. Education projects related to water safety and appropriate etiquette, with a primary focus on water trails recreation.

i. Materials and equipment. Actual material cost of trail maintenance tools, gravel, fencing supplies, gates, bridges, culverts, riprap, and other materials necessary for trail, portage and access maintenance.

30.59(2) Low-head dam public hazard program. The scoring committee will evaluate proposals for projects that enhance safety at low-head dams on or adjacent to navigable waters in Iowa. The scoring committee will evaluate the following three categories of proposals:

a. Small projects. Small projects shall include proposal requests of up to \$20,000. Eligible projects for consideration for award as small projects shall include: warning signage and supporting infrastructure; feasibility, environmental, or preliminary design or engineering studies related to removal of hazardous structures; and construction costs related to portage trails and modification or removal of hazardous dams.

b. Medium-sized projects. Medium-sized projects shall include proposal requests of \$20,001 to \$50,000. Eligible projects for consideration of award as medium-sized projects shall include: warning signage and supporting infrastructure; and construction and engineering costs related to portage trails and modification or removal of hazardous dams.

c. Large projects. Large projects shall include proposal requests of more than \$50,000. Eligible projects for consideration of award as large projects shall include construction and engineering costs related to modification or removal of hazardous dams.

571—30.60(455A,461A,462A) Cost-share requirements.

30.60(1) Water trails development program. Grant proposals for water trails development projects do not require cost share; however, cost sharing is strongly encouraged through the selection criteria. Any claim of cost share shall be supported through a signed letter from the organization providing the cost share.

30.60(2) Low-head dam public hazard program. Proposals requesting funds to be used for warning signs, supporting structures, and navigational aids such as buoys at and near low-head dams shall receive priority, and shall be awarded pursuant to the dam owner contributing at least 20 cents for every 80 cents awarded by the department. For the remainder of funds, proposals for other low-head dam public hazard projects shall provide at least 50 percent of the funds required to complete small, medium-sized, and large projects. Cost-share funds may include local, private, federal or other state funds. Any claim of cost share required by this subrule shall be supported through a signed letter from the organization providing the cost share. The department strongly encourages sponsors to provide more cost share than is required by these rules, and the scoring committee will provide additional consideration to those proposals that exceed cost-share requirements.

571—30.61(455A,461A,462A) Evaluation criteria.

30.61(1) Water trails development program.

a. The scoring committee shall evaluate grant proposals for the water trails development program projects based on the following criteria:

(1) Feasibility of the proposed project;

(2) Level of private resources or local resources or both available to the project; and

(3) The project's contribution to developing a designated water trail or designated wilderness water trail.

b. The scoring committee shall publish its ranking system, which shall be based on the criteria described above, with the application forms. The department shall post this ranking system on its Web site, www.iowadnr.gov, at least 30 days prior to proposal due dates.

c. Designated water trails.

(1) For purposes of this rule, designated water trails shall include those bodies of water with the following minimum treatment:

1. Provide signs to users about possible dangers and portages;
2. Possess adequate portage around obstructions and dams, or have modified obstructions and dams to make them safe to navigate, or the water trail begins or ends a safe distance upstream and downstream from the obstruction or dam;
3. Have accesses spaced and developed appropriately to the natural resource integrity of the water body from public roadways to the water trails;
4. Provide periodic kiosks with information for users;
5. Identify access to camping, lodging or other overnight accommodations; and
6. Have adequate promotion through maps, brochures and other media, which include information about the access points, difficult areas, distance between accesses, nearby cities, ADA amenity information, safety information, and other information related to use of the water trail.

(2) For purposes of this rule, designated wilderness water trails, because they are located in areas of special scenic, ecological, geological, habitat or wildlife value, shall be a type of designated water trail that encourages only low-impact human uses and keeps signage and accesses to a minimum, but still provides critical information and access.

30.61(2) Low-head dam public hazard program. The scoring committee shall consider the following criteria when evaluating cost-share proposals for low-head dam public hazard program projects:

- a. Improvements to public safety;
- b. Demonstrated beneficial impacts to the overall stream health, fish migration and habitat, aesthetics, and recreational impacts; and
- c. Contribution of private resources or local resources or both beyond the minimum requirements provided by these rules.

571—30.62(455A,461A,462A) Disbursement of awards.

30.62(1) Water trails development program. Grants for water trails development projects will be announced not later than 90 days after the grant proposals are due. The earliest disbursement date is July 1 of the following state fiscal year.

30.62(2) Low-head dam public hazard program. Grants for low-head dam public hazard projects will be announced no later than 90 days after the grant proposals are due. All funds shall be obligated by not later than July 1 of the next fiscal year.

571—30.63(455A,461A,462A) Water trails advisory committee. The advisory committee shall provide input to the water trails development program and the low-head dam public hazard program. The advisory committee appointed by the director shall be comprised of a minimum of six members of the water recreation community, including canoe and kayak enthusiasts and club leaders, interested conservation associations, canoe and kayak livery owners, and county conservation board staff in Iowa. Members of the advisory committee shall serve for two years.

The meetings of the advisory committee shall be held at least four times per calendar year and shall be arranged by the coordinator. The advisory committee will provide expertise to the

scoring committee and assist the department in the development of any water trails or low-head dam public hazard master planning that the department may undertake.

These rules are intended to implement Iowa Code chapters 455A, 461A, and 462A.

Date

Richard A. Leopold, Director

Motion was made by Commissioner Rettig to approve Final Rule—Chapter 30, Water Recreation Access Cost Share Program. Seconded by Commissioner Kramer. Motion carried unanimously.

FINAL RULE APPROVED

Item 17 was removed from the agenda.

CONSERVATION AND RECREATION DONATIONS

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Natural Resource Commission is requested to approve the following donations:

Donation to:	Amount	Description	Donation Provided by (Name/Org):
Ledges State Park	\$10,000.00	gravel on campsite pads	Friends of the Ledges
Dolliver State Park	\$25.00	purchase of supplies	Park Plumbing
Fish and Wildlife Trust Fund	\$500.00	donation toward the improvement of fishing opportunities in memory of Arthur Gemmer	Jane Allen
IA DNR - Law Enforcement Bureau	\$700.00	Nikon spotting scope	Whitetails Unlimited
IA DNR - Law Enforcement Bureau	\$1,000.00	JVC digital video camera	Whitetails Unlimited
Fish and Wildlife Trust Fund	\$500.00	donation in memory of Joe and Minnie Sebol	Barb Blair
IA DNR - Law Enforcement Bureau	\$100.00	donation of a mounted pheasant to be used in decoy operations	Pheasants Forever - Mud Creek Chapter
IA DNR - Parks Bureau	\$20,000.00	below market value sale commitment of land in Guthrie County as an addition to Springbrook State Park	Mark Ackelson Iowa Natural Heritage Foundation
IA DNR - Wildlife Bureau	\$40,000.00	below market value sale commitment of land as an addition to Bruggeman	Mark Ackelson Iowa Natural Heritage

		County Park in Blackhawk County in association with the Wapsipinicon River corridor	Foundation
IA DNR - Wildlife Bureau	\$5,000.00	partner contribution toward Harmon Lake WMA in Winnebago County	Darrell Hanks Winnebago-Hancock Pheasants Forever
IA DNR - Wildlife Bureau	\$1,000.00	partner contribution toward Colo Bogs Wetland Complex in Story County	Ms. Lynne Brooks Big Bluestem Audubon Society
IA DNR - Parks Bureau	\$200.00	one day use of a Bobcat skidloader for use on our park clean-up day	Friends of the Ledges

Motion was made by Commissioner Drees to approve the donations to the Conservation and Recreation Division. Seconded by Commissioner Francisco. Motion carried unanimously.

DONATIONS APPROVED

GENERAL DISCUSSION

Commissioner Rettig reported that she attended the Iowa Falls Trails Committee Meeting, which was looking to develop bicycle trails, pedestrian trails and safe routes to school. She noted that the tour presentation expressed how the trail running from Iowa Falls and Steamboat Rock has dramatically increased their visitors to that trail and business to the communities. Rettig encouraged the Department to start thinking broader about recreation, about parks and natural environments and challenged the department to do even more on trail development and green space corridors.

 Rettig announced that next week is Bike to Work Week. She encouraged the Department to participate in that across the state and invited staff to join her Monday morning on a ride.

 Commissioner Bird asked for legal direction regarding e-mail correspondence as it pertains to open meeting laws. Kelley Myers explained that the concern arises when there are deliberations that occur over e-mails. She said there is no problem with dispersing information as long as the discussions do not involve a quorum of commissioners deliberating about issues. She did caution the Commissioners to err on the side of caution, and counseled that there have been some legislative initiatives, though they have failed, to address this.

Response by commissioners to correspondence they receive from the public on issues of the Department was talked about. Commissioners reported receiving e-mails, long distance phone calls and letters, and at times when there is a hot topic, they are inundated with calls or e-mails. Director Leopold commended the Commissioners for their efforts to communicate with the public but said their obligation as a NRC Commissioner is to help set the policy of the state as interpreted by the Department of Natural Resources and the state legislature. He also expressed that it would be appropriate to refer constituents to the Department so that the staff managing certain programs and resources can gauge public perception. Ken Herring said that staff responds to each correspondence and works hard to encourage the public to engage the

Department with their comments when undertaking rulemaking. Comments from the public to NRC members could potentially mean these comments are not considered when making rules. Herring encouraged NRC members to ask that comments are communicated to the appropriate staff when related to rules.

Commissioner Rettig said she appreciates hearing from citizens. She added that the commissioners are here to represent all the people, so receiving their input, ideas and suggestions, but also keeping the Department informed is important. She said she tries to acknowledge everything sent to her and usually is generic in her response and does it in the most inexpensive way.

Ken Herring announced that information for the landowner survey on landowner attitudes towards deer is expected to be compiled into a final report shortly and will be available soon.

Commissioner Bird thanked fellow commissioners for their vote of confidence in naming him chairperson of the NRC for the coming year. He said he looks forward to working with all staff, the Director and fellow commissioners, as well as the public.

NEXT MEETING DATES

The next meeting will be held June 12, 2008 in Onawa.

ADJOURNMENT

<i>Motion was made by Commissioner Kramer to adjourn the May 8, 2008 NRC meeting. Seconded by Commissioner Francisco. Meeting adjourned at 1:55 p.m..</i>

Richard A. Leopold, Director

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